IN THE UNITED STAT	TES DISTRICT COUR	$\mathbf{T}$
FOR THE <u>Southern</u>	DISTRICT OF T	TEXA States Courts
Houston	DIVISION	TEXA Solved States Courts Southern District of Texas FILED
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Form To Be Used By A Prisoner in Filing a Complaint Under the Civil Rights Act, 42 U.S.C. § 1983 MAR 1 8 2013

Under the Civil Rights Act, 42 U.S.C. § 19	service and the service and th
LEROY DEBOSE #251249 Plaintiff's name and ID Number	Build & Bradley, Clerk of Court
Ellis-B2-1-15-1697-FM 980 Huntsville, Texas 77 Place of Confinement	7343
CASE NO	):
v. <u>University Of Texas Health Systems</u> Defendant's name and address 301 Univ. Blvd. Suite 6-100 Galveston Texas 7755	(Clerk will assign the number)  Plaintiff Request: Evidentary Hearing Appointment of Counsel Jury Trial 55-0129
B. Davis Defendant's name and address	
Shanta Crawford  Defendant's name and address (DO NOT USE "ET AL.")  FEXAS DEPARTMENT OF CRIMINAL JUSTI	CE TASTITUTIONS DU

# **INSTRUCTIONS - READ CAREFULLY**

## **NOTICE:**

Your complaint is subject to dismissal unless it conforms to these instructions and this form.

- 1. To start an action you must file an original and one copy of your complaint with the court. You should keep a copy of the complaint for your own records.
- Your complaint must be <u>legibly</u> handwritten in ink, or typewritten. You, the plaintiff, must sign and declare under penalty of perjury that the facts are correct. If you need additional space, <u>DO NOT USE THE REVERSE SIDE OR BACK SIDE OF ANY PAGE</u>. ATTACH AN ADDITIONAL BLANK PAGE AND WRITE ON IT.
- 3. You must file a separate complaint for each claim you have unless the various claims are all related to the same incident or issue or are all against the same defendant, Rule 18, Federal Rules of Civil Procedure. Make a short and plain statement of your claim, Rule 8, Federal Rules of Civil Procedure.
- 4. When these forms are completed, mail the original and one copy to the Clerk of the United States Court for the appropriate District of Texas in the Division where one or more named defendants are located, or where the incident giving rise to your claim for relief occurred. The list labeled as "VENUE LIST" is posted in your unit law library. It is a list of Texas prison units indicating the appropriate District Court, the Division and an address of the Divisional Clerks.

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### FILING FEE AND IN FORMA PAUPERIS

- 1. In order for your complaint to be filed, it must be accompanied by the filing fee of \$350.00.
- 2. If you do not have the necessary funds to pay the filing fee in full at this time, you may request permission to proceed in forma pauperis. In this event you must complete the application to proceed in forma pauperis (IFP), setting forth the information to establish your inability to prepay the fees and costs or give security therefore. You must also include a six (6) month history of your Inmate Trust Account. You can acquire the application to proceed IFP and appropriate Inmate Account Certificate from the law library at your prison unit.
- 3. 28 U.S.C. 1915, as amended by the Prison Litigation Reform Act of 1995 (PLRA), provides, "...if a prisoner brings a civil action or files and appeal in forma pauperis, the prisoner shall be required to pay the full amount of a filing fee." Thus, the Court is required to assess and, when funds exist, collect, the entire filing fee or an initial partial filing fee and monthly installments until the entire amount of the filing fee has been paid by the prisoner. If you submit the application to proceed in forma pauperis, the Court will apply 28 U.S.C. 1915 and, if appropriate, assess and collect the entire filing fee or an initial partial filing fee, then monthly installments from your Inmate Account, until the entire \$350 filing fee has been paid.
- 4. If you intend to seek *in forma pauperis* status, then do not send your complaint without an Application to Proceed IFP, and the Certificate of Inmate Trust Account. Complete all the essential paperwork before submitting it to the Court.

### **CHANGE OF ADDRESS**

It is your responsibility to inform the Court of any change of address and its effective date. Such notice should be marked "NOTICE TO THE COURT OF CHANGE OF ADDRESS" and shall not include any motions(s) for any other relief. Failure to file a NOTICE TO THE COURT OF CHANGE OF ADDRESS may result in the dismissal of your complaint pursuant to Rule 41(b), Federal Rules of Civil Procedures.

#### I. PREVIOUS LAWSUITS:

A.	Have you filed any other lawsuits in the state or federal court relating to imprisonment?   X YES NO
B.	If your answer to "A" is yes, describe each lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, giving the same information.)
	1. Approximate date of filing lawsuit: 6-13-2002 / 6-21-2010
	2. Parties to previous lawsuit:  Plaintiff(s): LEROY DEBOSE Both Lawsuits  (Former)  Defendant(s): Bobby Thaler, Pam Williams, John B. Wveth, Charley Valdez  B. Murra / Latter Exclude Only Bobby Thaler
	3. Court (If federal, name the district; if state, name the county)
	4. Docket Number: 02-CV-2025 Cause No. A-10-CA-445-Ly
	5. Name of judge to whom case was assigned: Hon. Lynn Hughes / Hon. Lee Yeakel
	6. Disposition: (Was the case dismissed, appealed, still pending?)
	Dismissed Failure To State Claim Oct. 13,2002 (Former) (Latter) Denied Petition Aug. 15,2012
	7. Approximate date of disposition: Supreme Court Of The U.S.

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. II	. PLACE OF PRESENT CONFINEMENT: Ellis B-2-1697 FM 980 Huntsville, Tx 77343
	I. EXHAUSTION OF GRIEVANCE PROCEDURES:
	Have you exhausted both steps of the grievance procedure in this institution?x YES NO
	Attach a copy of the Step 2 grievance with the response supplied by the prison system.
IV	V. PARTIES TO THE SUIT:
	A. Name of address of plaintiff: NONE
	B. Full name of each defendant, his official position, his place of employment, and his full mailing address.
	Defendant #1: University Of Texas Health Systems
	301 Univ. Blvd. Suite 6-100 Galveston, Tx. 77555
<i>ENTEREN</i> Copayment	Univ. Of Texas Medical Branch Contract Employees Made Illegal Medical Deductions.
	Defendant #2: B. Davis Practice Manager Ellis UTMB Contract Employee 1697 FM 980 Huntsville, Texas 77343
·	Briefly describe the act(s) or omission(s) of this defendant, which you claimed harmed you.
	Refused to Refund Money for Invalid Charge Retroactive Applet.
	Defendant #3: Shanta Crawford (Former) Ellis-Practice Manager
	Formerly of 1697 FM 980 Huntsville, Tx 77343
	Briefly describe the act(s) or omission(s) of this defendant, which you claimed harmed you.
	Declined to Refund Money for Invalid Retroactive Application
	Defendant #4: Senior Warden R. Morris Ellis Unit
	1697 FM 980 Huntsville, Texas 77343
	Briefly describe the act(s) or omission(s) of this defendant, which you claimed harmed you.
	Affixed.Official Stamp on Step-1 Grievance Denying Refund Of Monies
for 1-2-12	, Charge, Retroactively Applied. ROBERT H. KANE JR. HEAM
77340	SERVICES DIV. GRS P.C. BOX 90 HUNTS ILLESTX.
	Briefly describe the act(s) or omission(s) of this defendant, which you claimed harmed you.
DIREC	TEN WIMB PRACTICE MANAGER TO RETROACTURY
Apply 1	AMENDED GOVE CODE SOLOGO AND ADMINISTRATION
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HIO. TEX HUNTSU	AMENDED CTONT CODE SO 1.063 AND ADMINISTRATIVE OD TO JUSTITY THE INCREASED 100.00 CODAMENT DEPT. CRIM. TUST INST. DIV. D.O. 204 90 ETIE, TEXAS 72340 (ALMN. BLJG.)
KETROACT	THEY ADDIED AN AMENDED TOUND PECCH LEST -
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ATC	Page 3 of 5 HIBIT-GOFFICAL STED-1 RESDONSE
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•	Deduction of \$11.39 from \$35.00 J-Pay \$88.61 Owed Co-Pay-Fee
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	State here in a short and plain statement the facts of your case, that is, what happened, where did it happen, when did it happen, and who was involved. Describe how <u>each</u> defendant is involved. <u>You need not give any legal argument or cite any cases of statutes</u> . If you intent to allege a number of related claims, number and set forth each claim in a separate paragraph. Attach extra pages if necessary, but remember that the complaint must be stated briefly and concisely. IF YOU VIOLATE THIS RULE, THE COURT MAY STRIKE YOUR COMPLAINT.
	On 11/12-01,12 Defendants Retroactively Applied A Texas Dept. Of Crim. Just. Insts.
	Div. \$100.00 Medical CoPayment Charge against Plaintiff For a 1-2-12, No-Show or
	Unrequested Blood Withdrawl. TDCJ-ID in conjuction with its Contractually Allied
	Business Partner, The Univ. Of Texas-Health Systems, are making illegal Medical
	CoPayment Deductions by Authority of Art. 65. of Govt. Code 501.063 (section 9) and
	Administrative Directive-06.08. Plaintiff challenge the illegal Retroactive
	Expropriation effective 9-28-2011 on the grounds of my entering T.D.C.JI.D. Sept.
	15,1975, under the 64th Leg. 6166-6184-42.12 laws, when Medical CoPayment was
	nonexistent. Plaintiff is at a disadvantage in that Texas, Does Not Pay for Labor.
	And can not tax Charitible Handouts from family and friends.
Un	RELIEF: State briefly exactly what you want the court to do for you. Make no legal arguments. Cite not cases or statutes. Plaintiff Request \$250,00 Two Hundmed Fifty Thousand Dollars from liversity of Texas Health Systems, and (Fifty Thousand) \$50,000 each from Univ. Of exas Medical Branch Contract Employees. Defendants to pay all court cost, and
At	torney fees; Injunctive Relief: T.D.C.JI.D. Rescind Medical CoPayment Fees.
VII	. GENERAL BACKGROUND INFORMATION:
	A. State, in complete form, all names you have ever used or been known by including any and all aliases:
	B. List all TDCJ-ID identification numbers you have ever been assigned and all other state or federal prison or FBI numbers ever assigned to you, if know to you.
	NOT REMEMBERED OVER 30-YRS. AGO
VIII	SANCTIONS:
i	A. Have you been sanctioned by any court as a result of any lawsuit you have filed? YESX NO
	B. If your answer is "yes", give the following information for every lawsuit in which sanctions were imposed. (If more than one, use another piece of paper and answer the same questions.)
	<ol> <li>Court that imposed sanctions (If federal, give district and division):</li> <li>Case Number:</li> </ol>

4. Have the sanctions been lifted or otherwise satisfied? \_\_\_\_\_ YES \_\_\_\_\_ NO

3. Approximate date sanctions were imposed:

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	Has any court ever warned or notified you that sanctions could be imposed? <u>x</u> YES NO
D.	If your answer is "yes", give the following information for every lawsuit in which warning was imposed (If more than one, use another piece of paper and answer the same questions.)
	1. Court that imposed warning (if federal, give the district and division): **District Court
	2. Case number: No. A-10-CA-445-Ly
	3. Approximate date warning were imposed: Sept. 2nd, 2010
Execut	ed on: January MARCH (5, 2013 LERCY DEBOSE
	(Date) (Printed Name)
	(Signature of Plaintiff)
	(Signature of Plaintiff)
PLAI	NTIFF'S DECLARATIONS
1.	I declare under penalty of perjury all facts presented in this complaint and attachment thereto are true and correct.
2.	I understand if I am released or transferred, it is my responsibility to keep the Court informed of my current mailing address and failure to do so may result in the dismissal of this lawsuit.
3.	I understand that I must exhaust all available administrative remedies prior to filing this lawsuit.
4.	I understand I am prohibited from bringing an <i>in forma pauperis</i> lawsuit if I have brought three or more civil actions in a Court of the United States while incarcerated or detained in any facility, which lawsuits are dismissed on the ground they were frivolous, malicious, or failed to state a claim upon which relief may be granted, unless I am under imminent danger or serious physical injury.
5.	I understand even if I am allowed to proceed without prepayment of costs, I am responsible for the entire \$350 filing fee and costs assess by the Court, which shall be deducted in accordance with the law from the inmate account by my custodian until the filing fee is paid.
Signed	this
	(Printed Name)  LROY DIBOLL
	Signature of Plaintiff)

WARNING: The Plaintiff is hereby advised any false or deliberately misleading information provided in response to the following questions will result in the imposition of sanctions. The sanctions the Court may impose include, but are not limbed to monetary sanctions and/or the dismissal of this action with prejudice.